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SOUTHERN DISTRICT OF CALIFORNIA

BY:

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10 AMERICAN TOWER CORPORATION

11 UNITED STATES DISTRICT COURT
12 SOUTHERN DISTRICT OF CALIFORNIA

13 AMERICAN TOWER
14 CORPORATION, A DELAWARE
15 CORPORATION,

16 Plaintiff,

17 vs.

18 THE CITY OF SAN DIEGO,
19 CALIFORNIA, A POLITICAL
20 SUBDIVISION OF THE STATE OF
21 CALIFORNIA

22 Defendants.

Case No. 08 CV 0435 JM CAB

NOTICE OF RELATED CASE(S)

BY FAX

23 Pursuant to Local Rule 40.1(e) plaintiff hereby makes notification that Case No.
24 07cv0399 LAB (NLS), *American Tower Company v. City of San Diego, et al.*, before the
Honorable Larry A. Burns, originally filed on or about March 2, 2007, was previously filed in the
Southern District of California and shares the same parties and similar questions of law and fact
as the above-entitled lawsuit.

1 In *American Tower Company v. City of San Diego, et al.*, Plaintiff American Tower
2 Company seeks redress to remedy San Diego's violation of federal and state laws in the adoption
3 and administration of the its Communication Antenna Regulations of the Land Development
4 Code and its denials of multiple ATC Conditional Use Permit applications.

5 The above-entitled lawsuit emanates from San Diego's February, 2008 denial of ATC's
6 Conditional Use Permit application for a wireless communication facility located in the vicinity
7 of 4350 Otay Mesa in San Diego.

8 Notice is further given that Plaintiff will soon file another lawsuit in the Southern District
9 of California, against the City of San Diego, that it believes will be related to *American Tower*
10 *Company v. City of San Diego, et al.* and the above-entitled lawsuit. This soon-to-be filed
11 lawsuit shares the same parties and similar questions of law and emanates from San Diego's
12 February, 2008 denial of ATC's Conditional Use Permit application for a wireless
13 communication facility located in the vicinity of 9060 Friars Road in San Diego.

14 Respectfully submitted

15 Dated: March 7, 2008

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